

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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VICTOR RUIZ,

Petitioner,

v.

ELKO COUNTY JAIL, *et al.*,

Respondents.

Case No. 3:23-cv-00354-MMD-CSD

ORDER

*Pro se* Petitioner Victor Ruiz has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. (ECF No. 1-1 (“Petition”).) Ruiz did not properly commence this habeas action by either paying the standard \$5.00 filing fee or filing a complete application for leave to proceed *in forma pauperis* (“IFP Application”). On July 18, 2023, this Court gave Ruiz until September 1, 2023, to either pay the \$5.00 filing fee or submit a complete IFP Application. (ECF No. 3.) On July 31, 2023, Ruiz submitted a new IFP Application. (ECF No. 4.) However, it is not clear that his financial certificate has been signed by an authorized prison official (*Id.* at 4), and he has not included a copy of his account statement. Regarding his account statement, Ruiz requests that the Court “call and get it faxed” because “its becoming a hassle to get that information.” (ECF No. 4-1 at 1.) The Court appreciates that it may be a hassle to get his financial certificate signed by an authorized prison official and a copy of his account statement. However, the Court is not inclined to waive these requirements. The Court will give Ruiz one more chance to comply.

It is therefore ordered that on or before September 15, 2023, Ruiz must file a financial certificate signed by an authorized prison official and a copy of his inmate account statement for the prior six-month period. Alternatively, Ruiz must pay the \$5.00

1 filing fee on or before September 15, 2023. Ruiz's failure to timely comply with this Order  
2 will result in the dismissal of the Petition without prejudice and without further advance  
3 notice.

4 The Clerk of Court is directed to send Ruiz one blank copy of the IFP Application  
5 form for inmates along with instructions.

6 DATED THIS 3<sup>rd</sup> Day of August 2023.

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10 MIRANDA M. DU  
11 CHIEF UNITED STATES DISTRICT JUDGE  
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